

HOUSE BILL REPORT

ESSB 5238

As Passed House:

March 30, 2009

Title: An act relating to mailing information to certain members of the state retirement systems.

Brief Description: Authorizing the department of retirement systems to assist with mailing information to certain members of the state retirement systems.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Keiser, Roach, Swecker, Fraser, McCaslin, Kohl-Welles, Honeyford, Pridemore, McDermott, Fairley, Benton and Shin).

Brief History:

Committee Activity:

State Government & Tribal Affairs: 3/17/09, 3/20/09 [DP].

Floor Activity

Passed House: 3/30/09, 93-4.

Brief Summary of Engrossed Substitute Bill

- Authorizes the Department of Retirement Systems to assist qualified public employee retiree organizations in blind mailings to potential retiree organization members twice per year.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 7 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst and Miloscia.

Staff: Tracey O'Brien (786-7196)

Background:

The Department of Retirement Systems (DRS) administers the various public retirement systems. The retirement systems include: the Public Employees' Retirement System (PERS); the Teachers' Retirement System (TERS); the School Employees' Retirement

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System (SERS); the Law Enforcement Officers' and Fire Fighters' System (LEOFF); the Washington State Patrol Retirement System (WSPRS); the Public Safety Employees' Retirement System (PSERS); the Judicial Retirement System (JRS); and the Judges' Retirement Fund (JRF). Many of these retirement systems have retirement organizations representing the thousands of public pension system retirees. Examples of these retirement organizations include the Retired Public Employees Council of Washington, the Washington State School Retirees Association, the Retired Firefighters of Washington, and the retired members of the Washington Education Association.

Summary of Bill:

Any organization that exclusively provides representation or services to retired members of the Washington retirement systems and has membership dues deducted through the DRS has a right to request the DRS's assistance in doing blind mailings to retirees two times per year.

Eligible mailings must provide information regarding the organization's services for members of the retirement systems eligible for membership in the retiree organization. The mailings may not be for the purpose of supporting or opposing any political party, ballot measure, or candidate.

The retiree organization must provide all the printed materials and the envelopes to a mail processing center. The retiree organization must also pay all costs for generating the mailing labels, inserting the materials into the envelopes, sealing, labeling and delivering the materials to be mailed to a bulk mail center or post office. The retiree organization must use its own bulk mail permit and pay all postage costs.

The DRS must provide the requested retiree data for addressing the envelopes to the mail center under a secure data share agreement with the mail center. This agreement must provide that the retiree organization or any other entity does not have direct access to the retiree's names or addresses.

The DRS does not have an obligation to approve or disapprove, or in any other way take responsibility for, the content of the mailings.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The retiree organizations are nonprofit membership organizations. The only way to get contact information for potential members is through the DRS. This bill will clarify that DRS can assist in the blind mailings, at no cost to the state. It also ensures that the mailings will not be used for political purposes.

(Opposed) None.

Persons Testifying: Cass de la Rosa, Retired Public Employee Council; and Leslie Main, Washington State School Retiree's Association.

Persons Signed In To Testify But Not Testifying: None.